

FINAL TEXT OF PROPOSED REGULATIONS

In the following text, strikethrough indicates deleted text; underlining indicates added or amended text.

3075.2 Releases.

Subsections (a) through (c) are unchanged.

Subsection (d) is amended to read:

(d) Release Allowances. A release allowance is a sum of money intended for the rehabilitative purpose of assisting in an inmate / parolee's reintegration into society, and shall only be provided to an inmate who is released from prison to the direct supervision of a parole agent in the community or is discharged from the jurisdiction of the Department of Corrections. Except as stipulated below, inmates with six months or more served on a sentence or parole violation shall be given \$200, less the costs of clothing and public transportation provided ~~them~~ by the facility in connection with their release. Parolees who willfully abscond shall forfeit any remaining release allowance otherwise due them.

(1) A release allowance shall not be provided to an inmate released to the custody of the federal government or another state unless the inmate is released from custody and available for parole supervision in California or a state under the interstate compact (Article 3 (commencing with Section 11175) and Article 3.5 (commencing with Section 11180) of Chapter 2 of Title 1 of Part 4 of the Penal Code)). Inmates released to the custody

and supervision of to the U.S. Immigration and Naturalization Service and not deported. awaiting a deportation hearing date are not entitled to receive a release allowance.

(2) Inmates who are released to the custody of local law enforcement as a result of a detainer or hold are ineligible to receive a release allowance until the inmate is released from custody to direct parole supervision in the community. This includes a detainer or hold pursuant to commitment proceedings as a sexually violent predator (Article 4 (commencing with Section 6600) of Chapter 2 of Part 2 of Division 6 of the Welfare & Institutions Code)). If the local custody detainer or hold results in a new commitment, the inmate will be ineligible for release funds for the prior prison term(s).

~~(2)~~(3) Work furlough inmates:

(A) Work furlough inmates may receive an advance of up to \$100 of their release allowance.

(B) A work furlough inmate subject to Penal Code section 1168 and returned to the institution and whose parole date is rescinded shall receive \$200 if six months or more has been served since rescission, or up to \$200, as determined by the assigned parole agent, if less than six months has been served.

(C) A work furlough inmate subject to Penal Code section 1170 and returned to the institution for administrative reasons shall receive \$200 upon release, less any amount previously advanced during work furlough.

(D) Release funds shall not be used to repay facility program costs.

~~(3)~~(4) Parole violators returned to custody and serving:

(A) Six consecutive months or more shall receive \$200.

(B) Less than six consecutive months shall receive \$1.10 for each day or fraction thereof in custody on revocation status up to a maximum of \$200.

(C) A local concurrent sentence exceeding the Board of Prison Terms ordered revocation time shall receive funds only upon completion of the local concurrent term and after their release from jail.

~~(4) Parolees serving a local jail sentence and whose parole has not been revoked by the Board of Prison Terms shall not receive a release allowance.~~

(5) California Youth Authority wards confined in department facilities, and released:

(A) Within the state shall be given up to \$10 cash in addition to transportation expenses and, if necessary, clothing which shall not exceed \$20 in value.

(B) To independent placement may receive no more than \$25 cash.

(6) Upon release from a revocation unit, parolees or civil addict parolees shall be provided bus transportation to their residence area plus \$10 cash if the distance to their residence is less than 200 miles or \$15 cash if such distance is 200 miles or more, if release is for one of the following reasons:

- (A) Charges against the parolee were dismissed.
- (B) Charges against the parolee were not substantiated.
- (C) The parolee was continued on parole and a revocation term was not assessed.

(7) Inmates or parole violators transferred to the custody and supervision of the Department of Mental Health shall not be provided a release allowance until they are released to the community and are either under the direct supervision of a parole agent, or discharged to the community and no longer under the jurisdiction of the Department of Corrections.

(e) Transportation arrangements.

(1) An inmate's transportation upon release shall be arranged by the facility, unless a private party has contacted the facility at least three days before the inmate's scheduled release, has offered to provide transportation, and the facility has approved the arrangement.

(2) Any transportation costs paid by the state shall be deducted from the inmate's release allowance.

NOTE: Authority cited: Sections 2713.1 and 5058, Penal Code. Reference: Sections 290, 457.1, 1168, 1170, 2713.1, 2901, 2962, 3053.5 and 5054, 11175, 11176, and 11180 Penal Code; ~~and~~ Section ~~11590~~ 11592, Health and Safety Code, and Sections 6601 and 6604, Welfare and Institution Code.